IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 1517 /2001.

PETITIONER : R.P.Sharma
S/o Late Shri Vidya Ram Sharma,
aged about 49 years, Occupation -
Block Education Officer, Lailunga,
Distt. Raigarh (C.G.).

P. R. No. 16/2/01
Presented by Shri Mukherjee.
dated 17.8.01

V E R S U S

RESPONDENTS : (1) State of Chhattisgarh
Through : The Secretary
Anusuchit Jati, Anusuchit Jan Jati,
Pichhada Varga and Alpa-Sankhyak
Kalyan Vibhag Mantralaya, Raipur.

(2) The Commissioner,
Anusuchit Jati, Anusuchit Jan Jati,
Pichhada Varga and Alp-Sankhyak
Kalyan, Vibhag, Raipur (C.G.).

(3) Shri T.R.Sidar,
Block Education Officer, Gharghoda,
Distt. Raigarh (C.G.).

(4) Shri S.C.Shesh,
Block Development Officer,
Office of District Organiser,
Dhamatari, Distt. Dhamatari (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUE AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS/CERITIORARI ETC. OR DIRECTION/ORDER IN THE LIKE NATURE ETC.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 1517/01 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

15-1-2004

Shri T.N. Dubey, counsel for the petitioner.

Miss Sophiya Khan, Deputy Govt. Advocate for the State.

Heard.

The petitioner has preferred this petition against the order dated 17-7-2001 passed by respondent No.1 whereby he has been transferred from Lailunga, District Raigarh to Chhal, District Raigarh.

Learned counsel for the petitioner submitted that the petitioner was appointed on the post of Principal on 10-2-1994 in the Govt. Higher Secondary School, Sohagpur, District Korba. He had continued as Principal in different schools till the date of his appointment as Block Education Officer in Block Gharghoda in 1-9-1997. Thereafter, he was appointed as Block Education Officer of Block Lailunga District Raigarh on 7-4-1999. Counsel further submitted that the petitioner is subjected to illegal transfer from the post of Block Education Officer to the post of Principal in contravention of Recruitment Rules and the petitioner had been legally appointed to the post of Block Education Officer from the post of Principal according to the Recruitment Rules.

Having considered the facts and circumstances of the case and the fact that the transfer is an exigency of the service and

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(30)

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

without expressing any opinion on the merits of the case, in the opinion of this Court ends of justice will be served if the petitioner is permitted to make a detailed representation along with a copy of this petition 15 days from today before the Competent Authority/respondent and on such representation being filed, the same shall be considered and decided by the Competent Authority as early as possible preferably within two months from the date of receipt of representation in accordance with law after hearing the petitioner. If any adverse order is passed, the petitioner may avail remedy available under the law.

With the direction aforesaid, this petition is disposed of.

Certified copy as per Rules.

Sd/-
Fakhruddin
Judge

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